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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,129	03/25/2004	Kenneth J. Parzygnat	4541-018	7685

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EXAMINER	
LEWIS, ALICIA M	
ART UNIT	**PAPER NUMBER**
2164	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/809,129	PARZYGNAT ET AL.	
	Examiner	Art Unit	
	Alicia M. Lewis	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 December 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to communication filed December 14, 2006. Claims 1, 7 and 13 have been amended, thus claims 1-18 are pending in this application.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, 7 and 13 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The added limitation, "without removing said entries from said table," is not properly described in the specification. Applicant points to paragraph 20 of the specification for support for this amendment. However, paragraph 20 of the specification does not describe such actions. In fact, lines 12-14 of paragraph 20 recite that entries may be selected and deleted, which implies that the entries are removed from the table.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5-8, 11-14, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Panot et al. (US Patent 6,101,916) ('Panot').

With respect to claims 1, 7 and 13, Panot teaches:

displaying entries, each having at least one data field, in a table (column 9 line 12);

accepting the designation of a data field of a first entry by user (column 9 lines 41-42); and

for entries in said table, the content of whose corresponding data field matches that of said first entry, toggling a selection state of said entries without removing said entries from said table (column 9 lines 55-57, 60-63).

With respect to claims 2, 8 and 14, Panot teaches wherein accepting the designation of a data field of a first entry by a user comprises accepting a data field designation input command when said data field is indicated (column 9 lines 55-57).

With respect to claims 5, 11 and 17, Panot teaches wherein said table has a table entry data field focus, and wherein said data field is indicated by directing the table entry data field focus to said data field (column 9 lines 29-30, 48-54).

With respect to claims 6, 12 and 18, Panot teaches wherein entries in said table include entries not visibly displayed in said table (column 9 lines 55-57).

Panot teaches that all mines (or entries) in the database with a matching field are selected.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3, 4, 9, 10, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panot et al. (US Patent 6,101,916) ('Panot') in view of Pickering et al. (US Patent Application Publication 2004/0135807) ('Pickering').

With respect to claims 3, 9 and 15, Panot teaches claims 2, 8, and 14.

Panot does not teach wherein said field designation input command comprises a qualifier key in combination with a mouse-click.

Pickering teaches an interface for modifying data fields in a mark-up language environment (see abstract) in which he teaches wherein said data field designation input command comprises a qualifier key in combination with a mouse-click (paragraph 35 lines 6-13, 15-16).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Panot by the teaching of Pickering because wherein said data field designation input command comprises a qualifier key in combination with a mouse-click would enable a quick and efficient method to modify groups of data and/or data fields with simple actions (Pickering, paragraph 5).

With respect to claims 4, 10 and 16, Panot as modified teaches wherein said data field is indicated by placing a cursor over said data field (Pickering, paragraph 35 lines 9-10, paragraph 40 lines 1-4, paragraph 44 lines 12-16).

Response to Arguments

5. Applicant's arguments filed December 14 have been fully considered but they are not persuasive. Applicant argues that entries whose fields match the value of a selected field are completely removed from the mine listing. However, Applicant has not provided any supporting evidence for such argument. In fact, Panot teaches in column 9 lines 55-57 that entries (mines) whose fields match the value of the selected field are selected; therefore the fields go from unselected to selected, thus the selection state is toggled without removing the entries from the table.

6. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the meaning of "select") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation is found in paragraph 5 of the Pickering reference. Panot teaches a filter by selection operation, in which groups of data may be selected. It is inherent that the selected data will be modified in some way (i.e. deleted, copied, shifted, filtered, made inaccessible, etc). Therefore, Examiner disagrees with Applicant's argument that the references teach away from each other. Modifying Panot's filter by selection operation by Pickering's data field designation input command comprising a qualifier key in combination with a mouse-click would provide greater functionality to Panot's invention by providing an alternative, simple way to select groups of entries (mines).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis
March 1, 2007

SAM RIMELL
PRIMARY EXAMINER